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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/668,273	CUDD ET AL.
Office Action Summary	Examiner	Art Unit	
	BENJAMIN O. DULANEY	2625	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>20 September 2008</u>.

2a) ☒ This action is **FINAL.**   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-11 and 13-15</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-11 and 13-15</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail. Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments filed 9/20/08 have been fully considered but they are not persuasive.

Regarding applicant's argument for claim 1 that Simpson does not teach "the dynamic layout of screen content in a document in order to preserve the layout of the content when the document is printed", examiner disagrees. This feature is not claimed in the present invention and therefore even if Simpson did not teach the feature, it would have no effect upon the legitimacy of the current rejection.

Regarding applicant's argument for claim 1 that Simpson does not teach establishing a display order of frames, examiner disagrees. A user establishes an order of the frames by whatever method suits the user. Since the "record" of frame dependencies is taught by Laane, such as one frame being right below another on a display, a user, as taught by Simpson, could easily look at a display with this dependency and from it "establish a display order". Since "a display order" is very broad, it is certainly rendered obvious that a user could perform such an action given all the information provided by the combination of Simpson and Laane.

Regarding applicant's argument that Simpson does not teach terminating the display region at the page limit and creating a display upon a following page, examiner disagrees. Paragraph 53 of Simpson states that "the document preview window can be used to arbitrarily arrange or otherwise manipulate imaging data" and also in paragraph 51 that any number of resizing tools are also available, and in paragraph 61 that a user

can add additional pages as they see fit. The combination of these features along with the notion that document frames cannot be placed outside of the page limits (as shown in figure 6 for example), renders obvious the users ability to create a display region upon a following page if a frame does not fit to their liking on the current page.

Regarding applicant's argument that Laane does not teach a dependent frame having its starting position set to the end position of the frame it is dependent upon, examiner disagrees. Laane clearly teaches in column 5, lines 38-41 that the frames of figure 3 can have dependencies, and since figure 3 shows that frame 310b starts at the end point of frame 310a, the disputed feature is taught.

Applicant's arguments, filed 9/20/08, with respect to claims 10 and 11 have been fully considered and are persuasive. The 35 U.S.C. 112, 2nd paragraph rejection of claims 10 and 11 has been withdrawn.

Applicant's arguments, filed 9/20/08, with respect to claims 12, 13 and 15 have been fully considered and are persuasive. The 35 U.S.C. 101 rejection of claims 12, 13 and 15 has been withdrawn.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains.
Patentability shall not be negatived by the manner in which the invention was made.

4)   Claims 1-3, 5-9 and 13-15 are rejected under 35 U.S.C. 103(a) as being

unpatentable over U.S. patent application publication 2004/0201613 by Simpson et al.,

and further in view of U.S. patent 6,978,445 by Laane.

5)   Regarding claims 1, 14 and 15, Simpson teaches a method of forming a printable

representation of a document having framed content, said method comprising the steps

of: (a) recording the position, height and width of each frame of said document in a

display widow in which said document is presented (paragraph 59; in order to place

frames on the display in a specific location, it is inherent that the position and size of the

object are recorded), (b) identifying dimensions of a printing medium associated with

said printable representation (figure 7, item 290); (c) determining a height of content of

each said frame (paragraph 59); (e) interpreting the records to establish a display order

of said frames (paragraph 61); (f) for each said frame, and in said display order: (fb)

creating a display region upon a page in said printable representation at said start

position according to said corresponding content height (figure 6); (fc) placing the

content of said frame into said display region (paragraph 59); and (fd) where said

display region exceeds a page limit in said printable representation, terminating the

display region at the page limit and creating a further display region upon a following

page of the printable representation (paragraph 53; figure 8).

Simpson does not specifically teach (d) determining, for each said frame, a

record of any corresponding dependency frames, each said dependency frame being

above said frame in said display window; (fa) checking a start position of said frame

against an end position of a created display region of a frame upon which said frame is dependent, and setting said start position to be said end position.

Laane teaches (d) determining, for each said frame, a record of any corresponding dependency frames, each said dependency frame being above said frame in said display window (column 5, lines 38-41); (fa) checking a start position of said frame against an end position of a created display region of a frame upon which said frame is dependent, and setting said start position to be said end position (figure 3, items 310a and 310b).

Simpson and Laane are combinable because they are both from the internet display field of endeavor.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Simpson with Laane to add frame dependency. The motivation for doing so would have been to correctly display a loaded page (column 5, lines 38-41). Therefore it would have been obvious to combine Simpson and Laane to obtain the invention as specified by claims 1, 12, 14 and 15.

6)   Regarding claim 2, Simpson teaches a method according to claim 1 wherein step (c) comprises: (ca) determining a width of said content of each said frame; (cb) determining a scaling factor by which the content width of said frame need be adjusted to correspond to a corresponding display width of said frame in said display window; and step (fb) further comprises scaling the content of said frame according to said scaling factor to fit within said display width (paragraph 51).

7)   Regarding claim 3, Simpson teaches a method according to claim 2 wherein step

(fb) comprises: (i) applying a zoom to the display region corresponding to the scaling

factor; and (ii) expanding a width of the display region by the inverse of the scaling

factor to thereby reveal content otherwise obscured (paragraph 59).

8)   Regarding claim 5, Simpson does not specifically teach A method according to

claim 1 wherein step (d) comprises forming a linear array of records incorporating links

from records of dependent ones of said frames to frames from which they depend.

        Laane teaches a method according to claim 1 wherein step (d) comprises

forming a linear array of records incorporating links from records of dependent ones of

said frames to frames from which they depend (column 5, lines 6-8; a script would

execute linearly and an array is a very well known in the art data structure that would be

obvious to use).

        Simpson and Laane are combinable because they are both from the internet

display field of endeavor.

        It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine Simpson with Laane to add frame dependency. The

motivation for doing so would have been to correctly display a loaded page (column 5,

lines 38-41). Therefore it would have been obvious to combine Simpson and Laane to

obtain the invention as specified by claim 5.

9)   Regarding claim 6, Simpson teaches a method according to claim 1 wherein no

account is taken of horizontal dependency between said frames (Simpson does not

teach anything dealing with horizontal dependency and therefore teaches that no
account of it is taken).

10)   Regarding claim 7, Simpson teaches a method according to claim 1 wherein said
printable representation is a print preview representation (figure 4).

11)   Regarding claim 8, Simpson teaches a method according to claim 1 wherein said
printable representation comprises at least part of a print job dispatched to a printer
(paragraph 22).

12)   Regarding claim 9, Simpson teaches a method according to claim 1 wherein said
document comprises an HTML document defining a Web page (paragraph 24, 25, 38
and 39).

13)   Regarding claim 13, Simpson teaches a computer program according to claim 14
wherein said program forms a sub-application associated with a browser application
and having a graphical user interface formed with a graphical user interface of said
browser application (paragraph 30).

14)   Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S.
patent application publication 2004/0201613 by Simpson et al., and further in view of
U.S. patent 6,978,445 by Laane, and further in view of U.S. patent application
publication 2002/0046238 by Estavillo et al.

        Simpson does not specifically teach a method according to claim 1 wherein step
(b) comprises reducing said dimensions by margin dimensions to be formed in said
printable representation.

Estavillo teaches a method according to claim 1 wherein step (b) comprises

reducing said dimensions by margin dimensions to be formed in said printable

representation (paragraph 49; figure 8).

Simpson and Estavillo are combinable because they are both from the print

preview field of endeavor.

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine Simpson with Estavillo to add margin dimensions. The

motivation for doing so would have been to "show an accurate preview" (paragraph 49).

Therefore it would have been obvious to combine Simpson and Estavillo to obtain the

invention as specified by claim 4.

15)   Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S.

patent application publication 2004/0201613 by Simpson et al., and further in view of

U.S. patent 6,978,445 by Laane, and further in view of U.S. patent application

publication 2002/0143814 by Hepworth et al.

Regarding claims 1, 12, 14 and 15, Simpson teaches a method of forming a

printable representation of a document having framed content, said method comprising

the steps of: (a) recording the position, height and width of each frame of said document

in a display widow in which said document is presented (paragraph 59; in order to place

frames on the display in a specific location, it is inherent that the position and size of the

object are recorded), (b) identifying dimensions of a printing medium associated with

said printable representation (figure 7, item 290); (c) determining a height of content of

each said frame (paragraph 59); (e) interpreting the records to establish a display order

of said frames (paragraph 61); (f) for each said frame, and in said display order: (fb)

creating a display region upon a page in said printable representation at said start

position according to said corresponding content height (figure 6); (fc) placing the

content of said frame into said display region (paragraph 59); and (fd) where said

display region exceeds a page limit in said printable representation, terminating the

display region at the page limit and creating a further display region upon a following

page of the printable representation (paragraph 53; figure 8).

Simpson does not specifically teach a method of forming a printable

representation of a Web page, said method comprising: (i) detecting one of a print or a

print preview selection for said Web page from a Web browser application; (ii)

examining a definition of said Web page for the presence of frames; and (iii) where step

(ii) detects the presence of at least one frame in said Web page. (d) determining, for

each said frame, a record of any corresponding dependency frames, each said

dependency frame being above said frame in said display window; (fa) checking a start

position of said frame against an end position of a created display region of a frame

upon which said frame is dependent, and setting said start position to be said end

position.

Laane teaches (d) determining, for each said frame, a record of any

corresponding dependency frames, each said dependency frame being above said

frame in said display window (column 5, lines 38-41); (fa) checking a start position of

said frame against an end position of a created display region of a frame upon which

said frame is dependent, and setting said start position to be said end position (figure 3,

items 310a and 310b).

Simpson and Laane are combinable because they are both from the internet

display field of endeavor.

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine Simpson with Laane to add frame dependency. The

motivation for doing so would have been to correctly display a loaded page (column 5,

lines 38-41).

Hepworth teaches a method of forming a printable representation of a Web page,

said method comprising: (i) detecting one of a print or a print preview selection for said

Web page from a Web browser application (paragraph 57); (ii) examining a definition of

said Web page for the presence of frames; and (iii) where step (ii) detects the presence

of at least one frame in said Web page (paragraph 55, 56 and 44).

Simpson and Hepworth are combinable because they are both from the internet

display.

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine Simpson with Hepworth to add frame detection. The

motivation for doing so would have been for "enhancing a material with machine

readable graphical codes" (abstract).

Therefore it would have been obvious to combine Simpson, Laane and Hepworth

to obtain the invention as specified by claim 10.

16)   Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S.

patent application publication 2004/0201613 by Simpson et al., and further in view of

U.S. patent 6,978,445 by Laane, and further in view of U.S. patent application

publication 2002/0143814 by Hepworth et al., and further in view of U.S. patent

7,047,033 by Wyler.

Simpson does not specifically teach a method according to claim 10, further

comprising the step of: (iv) where step (ii) fails to detect the presence of a frame,

forming the printable representation according to the browser application.

Wyler teaches a method according to claim 10, further comprising the step of: (iv)

where step (ii) fails to detect the presence of a frame, forming the printable

representation according to the browser application (column 35, lines 3-15; when

frames are detected a special browser is used, when not detected a different browser is

used, therefore the limitation is satisfied).

Simpson and Wyler are combinable because they are both from the internet

display.

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to combine Simpson with Wyler to add forming a printable

representation according to the browser. The motivation for doing so would have been

"to determine whether ... special features were supported" (column 35, lines 5-7).

Therefore it would have been obvious to combine Simpson and Wyler to obtain the

invention as specified by claim 11.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to BENJAMIN O. DULANEY whose telephone number is

(571)272-2874. The examiner can normally be reached on Monday - Friday (10am -

6pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David Moore can be reached on (571)272-7437. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

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USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Benjamin O Dulaney/

Examiner, Art Unit 2625

/David K Moore/

Supervisory Patent Examiner, Art Unit 2625